

# STATE OF NEW YORK

1791

2025-2026 Regular Sessions

## IN SENATE

January 13, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to eliminating asset limits in calculating the amount of benefits for any household under any public assistance program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 131-n of the social services law,  
2 as amended by section 5 of part U of chapter 56 of the laws of 2022, is  
3 amended to read as follows:

4 1. [~~The following resources~~] All assets held by the household shall  
5 be exempt and disregarded in calculating the amount of benefits of any  
6 household under any public assistance program[~~:(a) cash and liquid or~~  
7 ~~nonliquid resources up to two thousand five hundred dollars for appli-~~  
8 ~~cants, three thousand seven hundred fifty dollars for applicants in~~  
9 ~~households in which any member is sixty years of age or older or is~~  
10 ~~disabled or ten thousand dollars for recipients, (b) an amount up to~~  
11 ~~four thousand six hundred fifty dollars in a separate bank account~~  
12 ~~established by an individual while currently in receipt of assistance~~  
13 ~~for the sole purpose of enabling the individual to purchase a first or~~  
14 ~~replacement vehicle for the recipient to seek, obtain or maintain~~  
15 ~~employment, so long as the funds are not used for any other purpose, (c)~~  
16 ~~an amount up to one thousand four hundred dollars in a separate bank~~  
17 ~~account established by an individual while currently in receipt of~~  
18 ~~assistance for the purpose of paying tuition at a two-year or four-year~~  
19 ~~accredited post-secondary educational institution, so long as the funds~~  
20 ~~are not used for any other purpose, (d) the home which is the usual~~  
21 ~~residence of the household, (e) one automobile, up to ten thousand~~  
22 ~~dollars fair market value, through March thirty first, two thousand~~  
23 ~~seventeen; one automobile, up to eleven thousand dollars fair market~~  
24 ~~value, from April first, two thousand seventeen through March thirty-~~

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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~~1 first, two thousand eighteen, and one automobile, up to twelve thousand  
2 dollars fair market value, beginning April first, two thousand eighteen  
3 and thereafter, or such other higher dollar value as the local social  
4 services district may elect to adopt, (f) one burial plot per household  
5 member as defined in department regulations, (g) bona fide funeral  
6 agreements up to a total of one thousand five hundred dollars in equity  
7 value per household member, (h) funds in an individual development  
8 account established in accordance with subdivision five of section three  
9 hundred fifty-eight of this chapter and section four hundred three of  
10 the social security act, (i) for a period of six months, real property  
11 which the household is making a good faith effort to sell, in accordance  
12 with department regulations and tangible personal property necessary for  
13 business or for employment purposes in accordance with department regu-  
14 lations, and (j) funds in a qualified tuition program that satisfies the  
15 requirement of section 529 of the Internal Revenue Code of 1986, as  
16 amended, and (k) funds in a New York achieving a better life experience  
17 savings account established in accordance with article eighty-four of  
18 the mental hygiene law].~~

19 If federal law or regulations require the exemption or disregard of  
20 additional income and resources in determining need for family assist-  
21 ance, or medical assistance not exempted or disregarded pursuant to any  
22 other provision of this chapter, the department may, by regulations  
23 subject to the approval of the director of the budget, require social  
24 services officials to exempt or disregard such income and resources.  
25 Refunds resulting from earned income tax credits shall be disregarded in  
26 public assistance programs.

27 § 2. This act shall take effect immediately; provided, however, that  
28 the amendments to section 131-n of the social services law made by  
29 section one of this act shall not affect the expiration of such section  
30 and shall be deemed to expire therewith.